

PLC



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,184	06/27/2000	Eric B. Remer	81674-265752	4714

7590 05/19/2004

Steven P. Skabrat  
c/o BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025

EXAMINER

BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
----------	--------------

2134

DATE MAILED: 05/19/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

224

# Office Action Summary

Application No.

09/604,184

Applicant(s)

REMER ET AL.

Examiner

Christopher J Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**1. Claims 1, 2, 4, 5, 6, 7, 9, 10, 13, 14, 15, 17, 18, 19, 20, 21, 23, 25 26, 27, 28, 29, 30, 31, 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien US 6,351,776 in view of Namba US 5,966,448.**

As per claims 1, 9, 17, 18, 26, 27, 28, 29, 33-37 O'Brien discloses a system in which a source entity (user) transmits a request to a trusted arbitrator (X Drive) to establish a connection (share a file) between the source entity and a target (other users) entity via a connection entity (network), (Col 4 lines 1-6). O'Brien discloses that another user connects to the trusted Arbitrator (X drive) to download/ share a file, (Col 19 lines 19-25). O'Brien discloses a proxy server coupled to the connection entity through the internet (Col 7 lines 25-30).

O'Brien does not disclose encryption schemes.

Namba discloses a first entity (LAN A) establishing a secure connection with a target entity, (LAN B), (Col 7 lines 44-50). Namba discloses establishing a secure connection between a source (LAN A) and a trusted arbitrator, (WAN) using a first cryptographic

Art Unit: 2134

scheme (C1), (Col 7 lines 63-66). Namba discloses establishing a secure connection between the arbitrator (WAN) and a connection entity (LAN B) using a second cryptographic scheme (C2), (Col 8 lines 1-12).

It would be obvious to modify O'Brien's file sharing system with Namba's encryption to make the files secure and protected from hackers.

As per claim 2, 4, 10, 20, 21, 23 O'Brien discloses the source and connection entities must authenticate with the arbitrator, (Col 18, lines 35-39).

As per claim 5, 13, 25 O'Brien discloses that the requests and responses conform with HTTP, (Col 7 lines 9-13).

As per claim 6, 14, 30 O'Brien discloses that the Xdrive is URL accessible, (Col 18 line 33,34).

As per claim 7, 15, 31 O'Brien discloses that the first request (file) is stored in an area associated with the connection entity, (My Xdrive), (Col 18 lines 45-52).

**Claims 3, 11, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien US 6,351,776 in view of Namba US 5,966,448 in view of Wood US 6,691,232**

As per claims 3, 11, 22, and 24, O'Brien-Namba does not disclose multiple authentication schemes.

Art Unit: 2134

Wood discloses determining authentication scheme based on environmental factors, (Col 11, lines 5-12).

It would be obvious to modify the O'Brien-Namba system with the multiple authentications schemes of Wood so the system can determine if the authentication scheme is sufficient to achieve a given level of trust.

**Claims 8, 16, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien US 6,351,776 in view of Namba US 5,966,448 in view of Jaamies US 6,138,037**

As per claims 8, 16, and 32, O'Brien-Namba does not disclose retransmission of the request.

Jaamies discloses retransmission if no response is received within a predetermined time period, (Col 3 lines 65-67).

It would be obvious to modify the O'Brien-Namba system with the retransmission scheme of Jaamies so the system can continue functioning if there is a network error.

**Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien US 6,351,776 in view of Namba US 5,966,448 in view of Kung 5,434,918**

As per claim 12, O'Brien-Namba does not disclose mutual authentication of the trusted arbitrator.

Kung discloses a mutual authentication scheme, which would authenticate the user and the trusted arbitrator, (Col 2 lines 5-10).

It would be obvious to modify the O'Brien-Namba system with mutual authentication to increase the security of the system.

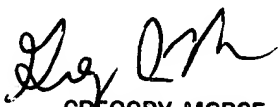
***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J Brown whose telephone number is 703-305-8023. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 703-308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100